

Q. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

15 Q. What are the names of the people above your
16 rank who were aware that the actual common practice of
17 your detectives was different than the written
18 departmental policy?

19 A. Jennings Bunch, Captain Quick, Captain Amstutz,
20 everybody. I mean, literally everybody, especially if --
21 for the most part, anybody that was a upper-level
22 supervisor in the drug unit came from the drug unit, so
23 they -- you know, through progression, they were familiar
24 with how that was.

25 Q. What indication did you receive from your

1 supervisors that it was okay to deviate from the written
2 policies in these instances?

3 A. There were no conversations of it. It was just
4 status quo. There was no -- well, there was nobody
5 around saying, "This is okay, that's okay." You just do
6 it. You've learned to do from your predecessors.

7 Q. So to be clear, during your time as sergeant,
8 did anyone above your rank come to you and say, "It is
9 okay to do these things, even though they contradict the
10 written policy"?

11 A. No.

12 Q. Did you assume -- you assumed it was okay?

13 A. Yes.

14 Q. Based on sort of things you observed within the
15 department?

16 A. Practice, yes.

17 Q. Okay. Why didn't higher-ups in the department
18 change the written policy to align with the actual
19 practice, if they were aware of it and they approved of
20 it?

21 MS. KIBLER: Object to the form.

22 THE WITNESS: I mean, it's just basically like
23 nothing gets fixed until there's some catastrophic
24 failure, just like this situation, so nothing gets the
25 microscope until it's time to get the microscope. It's

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1 just -- I mean there's hundreds of policies that -- the
2 police department and the City have thousands of policies
3 that, you know, you don't have specific knowledge of
4 every word, so it's just -- it's not so much like they
5 are giving you approval to violate the policy. You know,
6 they just don't receive the attention that these have
7 until something catastrophic occurs.

8 Q. Would you agree that with respect to some of
9 these areas we have discussed, there was a significant
10 deviation between the practice and the policy?

11 A. Yes.

12 Q. And that department supervisors were aware of
13 that?

14 A. Yes.

15 Q. And chose to maintain the existing policies as
16 they were?

17 A. Yes.

18 MS. KIBLER: Object to the form.

19 BY MR. MANCE:

20 Q. I'll ask you the same thing with the lock box.
21 You said at X-22 this is, quote, "precedent of literally
22 every drug unit within RPD as well as GSU." Is that
23 correct?

24 A. Yes.

25 Q. And --